



Permitting for Environmental Results (PER)

NPDES Profile: South Carolina and Indian Country

PROGRAM RESPONSIBILITY

State of South Carolina: NPDES authority for base program, general permitting, federal facilities, pretreatment

EPA Region 4: NPDES authority for biosolids

EPA Region 4: NPDES authority for Indian Country (under review)

Program Integrity Profile

This profile characterizes key components of the National Pollutant Discharge Elimination System (NPDES) program, including program administration and implementation, environmental outcomes, enforcement, and compliance. EPA considers profiles to be an initial screen of NPDES permitting, water quality, enforcement, and compliance programs based on self-evaluations by the States and a review of national data. EPA will use the profiles to identify program strengths and opportunities for enhancements. For more information, please contact Jeff deBessonnet, South Carolina Department of Health and Environmental Control, at (808) 898-4157 or Gina Fonzi, EPA Region 4, at (404) 562-9301.

Section I. Program Administration

1. Resources and Overall Program Management

The State of South Carolina:

The State of South Carolina Department of Health and Environmental Control (DHEC) administers the NPDES program in South Carolina. DHEC's Office of Environmental Quality Control (OEQC) includes the Bureau of Water. The organization chart accompanying this profile details the structure of DHEC's Bureau of Water and how the bureau interacts with the other environmental programs administered by OEQC. The NPDES permitting directors for domestic and industrial divisions have been the same for more than 10 years. Overall, DHEC's NPDES management structure has had a great deal of continuity.

Although program leadership is provided by the Bureau of Water, support services such as laboratory and facility inspections are provided by the Bureau of Environmental Services. DHEC's 12 field (district) offices and regional laboratories provide these services. Legal support for the program comes from the Office of General Counsel, which reports to DHEC's Commissioner.

The NPDES program is organized to provide close coordination with the water quality standards and total maximum daily load (TMDL) programs to ensure that NPDES permits accurately reflect the most recent wasteload allocations and State water quality standards.

Table 1: South Carolina Resources and Program Summary

Scope of NPDES Program in South Carolina		Approval Date	
NPDES Permit Program ^a		6/10/1975	
Federal Facilities		9/26/1980	
Pretreatment Program		4/9/1982	
General Permits		9/3/1992	
Biosolids		Not Applicable	
^a The stormwater and concentrated animal feeding operation (CAFO) permitting authority was authorized at the same time as the base NPDES program. The State of South Carolina is responsible for all Phase I and Phase II stormwater and CAFO NPDES activity in the State.			
NPDES Universe in South Carolina ^b			
FY2003	Major Facilities	Minor Facilities Covered by Individual Permits	Minor Facilities With General Permits
No. of Sources	175	379	547
% National Universe	2.6	1.0	1.1
^b Based on 7/9/2004 NPDES Management Report.			
South Carolina NPDES Program Resources			
Staff		Full-Time Equivalents	Cost
Management		4.00	\$348,860
Permitting:	Wastewater	27.16	\$1,833,479
	Stormwater	7.10	\$365,298
	Agricultural/CAFO	6.45	\$319,006
Inspections:	Wastewater	9.85	\$509,842
	Stormwater	5.28	\$275,205
	Agricultural/CAFO	5.20	\$269,155
Facility Monitoring		12.35	\$680,815
Ambient Monitoring		22.50	\$1,909,176
Compliance/Enforcement		17.15	\$774,448
Outreach/Technical Assistance		2.20	\$103,973
Citizen Complaints		2.35	\$107,449
TOTALS		121.59	\$7,466,706

DHEC has a variety of formal and informal training activities both in-house and augmented by external resources. All individual training is coordinated by staff supervisors in each basic unit of operation (section) and implemented through DHEC's employee performance rating system. Examples of training include the following:

- EPA's NPDES Permit Writers' Training Course
- Environmental Investigations Standard Operating Procedures and Quality Assurance Manual
- Cornell Mixing Zone Expert System (CORMIX) training
- National Enforcement Training Institute
- Southern Environmental Enforcement Network (negotiation skills)

Not every staff person attends each course, but supervisors direct staff to participate as applicable. DHEC staff are also required to participate in a variety of training courses (e.g., customer service) designed to develop people into quality employees across all program areas.

EPA Region 4:

The NPDES program is administered within EPA Region 4 in the Water Management Division's Permits, Grants, and Technical Assistance Branch (PGTAB) and the Water Programs Enforcement Branch (WPEB). Permitting responsibilities belong to the NPDES and Biosolids Permits Section of the PGTAB. Enforcement responsibilities for the NPDES program are shared by the Central, Gulf, and Eastern Enforcement Sections of the WPEB.

The permitting and enforcement sections coordinate activities pertaining to Region 4's direct implementation of the NPDES program. For example, the NPDES enforcement sections review all draft permits and the NPDES permitting section identifies potential areas of concern for enforcement highlighted in permit applications. The NPDES enforcement sections enter all permit compliance data into the Permit Compliance System (PCS).

The Region's NPDES program is organized to provide close coordination with the water quality standards and TMDL programs to ensure that NPDES permits accurately include the most recent wasteload allocations and reflect appropriate State water quality standards and federal standards.

The Region issues all permits for oil and gas extraction facilities discharging to federal waters. There are currently no permitted facilities off the coast of South Carolina.

As of May 26, 2004, all the facilities covered by EPA-issued permits discharging to federal waters have current permits.

The NPDES and Biosolids Permits Section has dedicated one full-time equivalent (FTE) toward implementation of the biosolids permitting program. A draft general permit is in the final stage of preparation and will be issued to cover biosolids management facilities in all eight Region 4 States. The resources for the biosolids permitting program are adequate at this time.

The NPDES and Biosolids Permits Section has dedicated approximately 0.25 FTE toward the management of offshore oil and gas extraction facilities. The general permit for offshore oil and gas extraction, which was published December 22, 2004, and became effective January 1, 2005, will streamline permitting efforts. The resources for this effort are sufficient at this time.

The NPDES enforcement sections have dedicated approximately 0.3 FTE toward the management of NPDES enforcement of offshore oil and gas extraction facilities. As the effort for compliance tracking, inspections, and enforcement for these facilities continues, an increase in resources might be needed.

The Region prioritizes permit issuance by reissuing permits as they expire, targeting a 0% backlog (a goal it is currently meeting). The Region processes new applications as they are received. Staff turnover has been very low and has not affected the Region's NPDES implementation responsibilities. The NPDES resources for direct implementation, to date, have not been affected by the needs of other water programs. The NPDES and Biosolids Permits Section has a core group of 13 staff members, each with 10 to 30 years of experience in the NPDES and biosolids programs.

2. State Program Assistance

The Region is responsible for issuing permits to facilities discharging to federal waters. This cannot be delegated to the State.

The Region serves as the permitting authority for the biosolids programs for all eight States in Region 4 because none have an approved biosolids program. The Region will assist States in assuming authority for the biosolids program as requests are received.

3. EPA Activities in Indian Country

The Region does not have any direct implementation responsibilities for Indian Country in South Carolina at this time. The State of South Carolina managed the programs for water resources associated with the Catawba Nation prior to the negotiations for the Nation to be acknowledged as a federally recognized Tribe.

4. Legal Authorities

EPA is conducting a comprehensive review of the State's legal authorities, including the State's environmental regulatory authority over the Catawba Reservation. This review has not yet been completed. As a result, EPA is reserving this section of the profile; when the legal review is complete, EPA will update the profile to include the results of the review.

5. Public Participation

An evaluation of the State's legal authorities regarding public participation will be included in the legal authority review. As noted above, the legal authority review section of this profile is reserved pending completion of the legal authority review.

The State of South Carolina:

The State provides for public participation in its NPDES program under the South Carolina Administrative Code (SCAC) 61-9.124. The State's public participation procedures include the publication of public notice in newspapers and procedures for public comments, public meetings, and administrative hearings. In addition, members of the public can ask for an administrative hearing to contest a permit. The formal procedures for public participation in permitting activities are listed in SCAC 61-9.124.10 and 61-9.124.12.

The public is able to access South Carolina's information on DHEC's Web site at <http://www.scdhec.gov/water/>. The Web site provides information on persons to contact, permit application forms, water quality standards, rules and regulations, publications, and public notices of permits including a water program index.

DHEC has placed its issued general permits on the Internet at <http://www.scdhec.gov/eqc/admin/html/eqgenpmt.html>. Although individual permits are not available on DHEC's Web site, some of the major individual permits and fact sheets issued by DHEC can be accessed through EPA's Web site. Instructions for accessing these documents are available at <http://www.epa.gov/npdes/permitdocuments>. Copies of individual municipal permits can be requested by calling (803) 898-4231. Copies of individual industrial and federal facilities permits can be requested by calling (803) 898-4232.

EPA Region 4:

The Region follows all public participation requirements of the Clean Water Act (CWA) and requirements contained in the Code of Federal Regulations (CFR) under title 40 CFR part 124. The Region's public participation procedures include providing public notice in newspapers and procedures for public comments, public meetings, and administrative hearings in accordance with the CWA. Public notices are also published in minority-owned newspapers in coastal cities that may be affected by offshore activities. Copies of all draft permits, fact sheets, statements of basis, public notices, and other pertinent information can be viewed at the Region 4 office in Atlanta, Georgia, or on Region 4's Web site; hard copies can be requested directly from the Region.

For new or controversial projects, the Region may hold public hearings and meetings to solicit any comments or concerns. This was recently done for the proposed reissuance of the offshore oil and gas extraction general permit.

Region 4's NPDES permitting Web site can be accessed at <http://www.epa.gov/region4/water/permits>. The Web site includes information regarding Region 4's permit organization and provides access to permits through a link to EPA's Envirofacts, to general permits, and to overall NPDES information. The Region maintains a hard-copy filing system for all permitted facilities. All files are arranged by State and NPDES number.

6. Permit Issuance Management Strategy

The State of South Carolina:

The State administers all point source pollution control programs. At the end of 2003, South Carolina's permit rate for major facilities was 97.8%, meeting the national goal for current permits (90%) for major facilities and far exceeding the national average of 84.2%. The State's permit rate for minor facilities covered by individual permits was 96.9%, which exceeds the national permit average (81.4%) in 2003 and meets the 2004 national goal for minor facilities of 90%. At the end of 2003, three major dischargers and eight minor dischargers held permits that had been expired for more than 2 years. The permit issuance and trend data for 2000 through 2003 are shown below.

The State's permit issuance trend over the past 4 years illustrates that DHEC has been successful in improving timely issuance of permits through various means. A number of municipal and industrial permits were backlogged because of the pending Cooper River TMDL. Since the Cooper River TMDL

has been issued, the backlog for both major and minor facilities has been reduced to below 10%. In addition, DHEC streamlined the permit issuance process by using general permits to authorize minor discharges that are substantially similar in nature. Fifty-eight percent of all minor-type NPDES facilities have general permit coverage in lieu of an individual permit. The State continually evaluates its program to identify opportunities to issue other general permits. To aid in drafting timely and accurate individual permits, the State uses an advanced Excel spreadsheet program to readily assess the reasonable potential for a discharge to cause or contribute to a violation of water quality standards.

Table 2: Percentage of Facilities Covered by Current Permits in South Carolina

	2000	Nat'l Avg.	2001	Nat'l Avg.	2002	Nat'l Avg.	2003	Nat'l Avg.
Major Facilities	74.6%	74%	70.3%	76%	85.6%	83%	97.8%	84%
Minor Facilities Covered by Individual Permits	85.6%	69%	83.3%	73%	90.8%	79%	96.9%	81%
Minor Facilities Covered by Individual or Non-stormwater General Permits	N/A	N/A	N/A	N/A	93.7%	85%	98.7%	86%

Source: PCS, 12/31/00; 12/31/01; 12/31/02; 12/31/03. (The values in the National Data Sources column of the Management Report, measures #19 and #20, are PCS data as of 6/30/04.)

EPA Region 4:

The Region prioritizes permit issuance by reissuing permits as they expire, targeting a 0% backlog. The Region processes new applications from dischargers for offshore activities as they are received. Currently, there are no permits for offshore activities off the coast in South Carolina. This strategy is sufficient in light of the limited direct implementation responsibilities of the Region.

The Region is not considering prioritization of permitting on a watershed basis.

The States within Region 4 are kept well informed on their backlog status through the implementation of the Regional Low Backlog Maintenance Strategy. Since the mid-1980s, EPA Region 4 has provided the State with a monthly NPDES update that includes current backlog numbers. The Region requests reports from any State that has a backlog of major permits greater than 10%. For each permit that has been expired for more than 2 years, the State must provide the reason for the backlog, the issuance progress, and a tentative date for reissuance. Also on a monthly basis, the State receives from EPA Region 4 the list of NPDES permits that have expired or will expire in the near future whose drafts have not been received by EPA for review. The draft permits in consideration are those for which EPA has permit overview authority under the memorandum of agreement between EPA and the State (i.e., major facilities, minor primary facilities). The State in turn informs EPA of any draft permits that it has sent and that appear on the non-receipt list, allowing any misdirected draft permit to be located or mailed quickly.

7. Data Management

South Carolina does not use PCS to manage its NPDES program. The State relies on a FoxPro system of its own design and is developing an Oracle-based system that will serve all the State's environmental programs. The design of the FoxPro system mirrors PCS in terms of tables and data element names. Data from the FoxPro system is uploaded to PCS through a batch process twice weekly. Edit and update audit reports from the PCS uploads are checked to verify acceptance of transferred data, and necessary corrections are made to the uploaded data or directly in PCS to ensure that the data in the two systems match.

The State maintains data on all Water Enforcement National Data Base (WENDB) elements, including geographic information at both the facility and pipe levels. Latitude and longitude data are collected with global positioning system (GPS) receivers and validated. As of January 2004, latitude/longitude data in PCS were 93% complete overall, including both major and minor facilities. These data are maintained in a geographic information system, which allows staff to make connections between permitted entities and environmental features such as priority watersheds and waters on the State's list of impaired waters prepared under section 303(d) of the CWA. As of March 19, 2004, the discharge monitoring report (DMR) data entry rates for major facilities from July 2003 through September 2003 were greater than 99% for both municipal and industrial facilities.

Section II. Program Implementation

1. Permit Quality

The State of South Carolina:

The State routinely assesses whether a given facility discharges to a stream listed as impaired on the State's list of impaired water bodies prepared under CWA section 303(d) and coordinates with its TMDL program to incorporate any wasteload allocation requirements into the facility's NPDES permit. If a TMDL has not yet been established, the State ensures that historical permit loadings are maintained for the parameter of concern. The State ensures that technology-based requirements, at a minimum, are incorporated into the NPDES permit. South Carolina uses standardized language and templates, whenever possible, to streamline permit development. Fact sheets and permit rationales clearly and completely discuss the development of all permit requirements and limitations.

For greater permit quality and efficiency, the State routinely uses general permits. Based on mid-2003 data, the State administers 10 general permits for non-stormwater discharges covering a total of 553 facilities. The State also administers two general permits for stormwater discharges covering a total of 7,083 facilities.

In accordance with the NPDES memorandum of understanding, the State routinely sends all municipal and industrial major permits and all minor primary industrial permits with process wastewater to Region 4 for concurrent review. Region 4's State Coordinator provides comments or expresses concerns after reviewing the permits. Each year, Region 4 also conducts a midyear and end-of-year review of the State's NPDES program. The midyear review follows a standardized format to review the administrative and technical NPDES permitting processes and to audit a representative sample of permits that did not receive concurrent review during the previous year. Interviews are conducted with State NPDES management following a predetermined questionnaire. A site visit by the Region 4 Water Division Director or his or her designee to discuss any identified issues completes the midyear process. The State initiates corrective actions, if necessary, and the Region follows up during the end-of-year evaluations conducted over the telephone.

Region 4 had previously approved South Carolina's whole effluent toxicity (WET) procedures, which included use of a percent-effect approach (percentage of reduction in growth, reproduction, or survival) for WET, rather than effect concentration. Subsequent to this decision, EPA has closely evaluated the use of the percent-effect approach, including a review of Virginia's request for use of percent-effect. According to correspondence related to Region 3's subsequent review of Virginia's request to use the same approach, it was determined that use of the percent-effect approach is expected to provide less protection for water quality. Because South Carolina has continued to use the percent-effect approach, Region 4 has notified DHEC that a revision to State procedures is needed at this time. This represents an opportunity for enhancement of the State's water quality program.

On June 15, 2004, the use of the State's "reasonable potential" procedures for WET was effectively halted when the Aquatic Life Protection Act (ALPA) was passed in South Carolina. The provisions of ALPA law alter how DHEC evaluates whether a discharge has a reasonable potential to impact water quality. These provisions also change how DHEC imposes and enforces NPDES permit limitations for

acute and chronic WET. The effect of this law is statewide in scope, and its provisions affect South Carolina's NPDES permitting and enforcement programs in numerous ways. ALPA directs DHEC to establish a correlation between chronic (sublethal) WET test results and the biological integrity of representative surface waters and to calibrate existing EPA WET methods to the natural water chemistry of South Carolina waters. DHEC is then required to promulgate regulations based on the findings of the studies. ALPA requires DHEC, as necessary, to develop sublethal WET methods using fish and invertebrate species native to the State.

Until these efforts are completed, DHEC may impose sublethal WET permit limits only where a statistically significant correlation exists between sublethal WET test failures for that discharge and the extent of adverse impact on the indigenous biological community downstream of that discharge. Even after all the work is completed through these processes, ALPA still requires DHEC to establish the correlation validated (for individual discharges) by independent peer review. A separate ALPA provision allows, at the request of the permittee, setting WET permit limits based on actual flow conditions.

Independent of the above items, ALPA requires that DHEC establish formal data quality objectives that define the level of accuracy and precision necessary to evaluate WET test results and an enhanced laboratory certification program to implement those objectives. Until these steps are taken, ALPA appears to prevent acute and chronic WET limits from being placed in NPDES permits. For existing WET limits, DHEC may not enforce failures as violations that are subject to civil penalties. Rather, DHEC could require other evaluations to be done in response to WET failures.

Since the passage of ALPA, Region 4 has begun receiving draft permits from DHEC without appropriate WET limitations and accompanying monitoring for facilities where there is reasonable potential for the discharge(s) to contain toxic pollutants in toxic amounts. Region 4 is objecting to these draft permits for their failure to include appropriate WET limitations. Under 40 CFR 123.44(h)(3), if DHEC does not redraft the permits to address these specific objections, the authority to issue the permit passes to EPA. Region 4 will then issue the permits with the appropriate WET limitations and accompanying monitoring. Region 4 retains enforcement authority over all permits it issues for the term of the permit.

EPA Region 4:

On October 30, 2000, the Region, in conjunction with several others, issued a Multi-Sector General Permit for discharges of stormwater from industrial activities other than construction. The Region also has one general permit for offshore oil and gas extraction facilities covering 290 facilities. The Region does not have direct implementation responsibilities for any offshore activities off the coast of South Carolina at this time. There are currently no permitted facilities in federal waters offshore of South Carolina.

2. Pretreatment

The State of South Carolina:

South Carolina received authorization to administer the pretreatment program on April 9, 1982. Currently, there are 76 approved pretreatment programs in the State. These approved programs act as control authorities for 464 significant industrial users (SIUs), 196 of which are categorical industrial users (CIUs). All SIUs have control mechanisms. Regardless of size, any publicly owned treatment

work (POTW) with an industrial user subject to categorical pretreatment standards is required to develop and implement a pretreatment program.

Annually, the State audits approximately 20% of the approved programs and inspects approximately 80% of the approved programs. This arrangement means that all programs should be audited within a 5-year period. When a POTW inspection results in an unsatisfactory rating, the State requests a response within 15 days outlining the corrective actions to be taken. The State also conducts a technical assistance follow-up visit within 90 days. If an inspection finds deficiencies but overall receives a satisfactory rating, the State also requests a response within 15 days outlining corrective actions to be taken. Progress on corrective actions is reviewed at the time of the next inspection. Enforcement referrals are made if compliance is not attained or maintained consistently.

When the State reissues an NPDES permit to the POTW, the POTW is required to reassess its pretreatment program, reassess the SIUs present, and recalculate limits with respect to the most recent water quality standards and NPDES permit conditions. The time frames for completing these requirements are included as NPDES permit conditions. The State also reviews SIU pretreatment systems and the SIU permits drafted by POTWs to ensure compliance with pretreatment regulations.

EPA Region 4:

The Region has no direct pretreatment implementation responsibilities in the State of South Carolina.

3. Concentrated Animal Feeding Operations

The State of South Carolina

EPA's concentrated animal feeding operations (CAFO) rule requires that all CAFOs submit applications for NPDES permits by 2006. South Carolina and the Region have agreed on a schedule for implementing the rule. South Carolina revised its regulation effective December 2003 and issued a CAFO general permit on May 14, 2004, for all animal sectors, including dry poultry litter. This general permit implements the nine minimum control measures that meet the requirements of the CAFO regulations.

There are 201 potential Large CAFOs in South Carolina, and the State will review each one to determine whether it is actually a CAFO and whether to grant it general permit coverage. This will help to ensure 100% permitting of Large CAFOs in the Region, thereby allowing successful implementation of the new rule by the end of 2006.

The State also issues permits to all animal feeding operations (AFOs) under its State agricultural permit program. Currently there are about 1,120 active AFOs that have State operational no-discharge permits.

EPA Region 4:

The Region does not have direct implementation for any CAFO facility at this time.

4. Stormwater

The State of South Carolina:

The State has issued two individual Phase I municipal separate storm sewer systems (MS4) permits: Greenville County and Richland County. Because of resource constraints, EPA Region 4 is providing

technical assistance to develop Phase I MS4 permits for the City of Columbia and the South Carolina Department of Transportation. The State will issue public notices for these two draft permits in late 2004.

The City of Columbia was originally listed as a Phase I MS4. The population fell below 100,000 in the 1990 census; therefore, the State did not require the city to apply for a permit. In 1999, however, the State chose to issue a permit to Columbia as a Phase I MS4 based on information provided under Appendix G of the finalized Phase II rulemaking (Federal Register, December 8, 1999, page 68848).

The State issued a Phase II MS4 general permit on November 11, 2003. The State initially opted for a general permit for small MS4s, but withdrew its efforts after the 9th Circuit Court decision. As a result, all 72 permittees submitted individual applications. The State sent comments to the applicants in September and October 2003. The State plans to use these applications in lieu of a notice of intent to issue general permit coverage. A hearing is scheduled for January 2005.

The State issued a public notice of the construction stormwater general permit in December 2003. The State had consolidated certain portions of the previous draft South Carolina permit to provide consistency with the EPA construction general permit. The State is currently reviewing the numerous comments received and developing a response to those comments for possible incorporation into the general permit. Staff shortages and personnel changes have delayed the timely issuance of this permit. Currently, no final date for the release of this permit has been set. The State is in a unique situation in that it is the lead agency responsible for the inspection of construction sites for the NPDES program as well as sedimentation and erosion control. The State maintains an electronic tracking system for notices of intent that is used to track construction permit activities. The notices of intent are available to the public upon request.

The public comment period for the industrial stormwater general permit closed in February 2004. The State issued the permit at the end of July 2004. The State maintains an electronic tracking system for industrial facilities submitting notices of intent.

Table 3: Number of Facilities Covered by Industry in the State of South Carolina

NPDES No.	Industry	Date Issued	Number of Facilities Covered
SCR000000	Industrial (baseline)	7/2004	2,398
SCR100000	Construction	1/1998	1,690

EPA Region 4:

The Region has no direct implementation responsibilities in South Carolina.

5. Combined Sewer Overflows/Sanitary Sewer Overflows

The State of South Carolina:

Sanitary Sewer Overflows (SSOs): The State maintains a database to track SSOs reported to it. DHEC requires municipalities to notify the State when an overflow occurs that has the potential to impact public health. The State has procedures, coordinated through its Office of External Affairs, for a broad

range of public health advisories to notify public health authorities and the public when this type of overflow has occurred.

Combined Sewer Overflows (CSO): South Carolina does not have any communities with combined sewer systems.

EPA Region 4:

The Region has no direct CSO/SSO implementation responsibilities in South Carolina.

6. Biosolids

The State of South Carolina:

South Carolina does not have authorization to implement the federal biosolids program. The State has regulations that mirror the federal regulations (R.61-9.503). South Carolina's longstanding biosolids program governs all aspects of biosolids treatment and disposal.

The State has expressed interest in obtaining authority to administer the federal biosolids program, but it is currently not a high priority because there are no federal funds available to the State to implement it.

EPA Region 4:

The Region serves as the permitting authority for biosolids in all eight States in the Region because none have an approved biosolids program. The Region's NPDES and Biosolids Permits Section and CWA Enforcement Section implement the biosolids program. The permits section provides regulatory and permitting guidance on implementation of the 40 CFR part 503 biosolids regulations, which are self-implementing, meaning that compliance with the regulations is required without issuance of an individual or general permit. The NPDES and Biosolids Permits Section serves as the permitting authority for the biosolids program and therefore has several biosolids functions. These include issuing individual or general permits that are deemed necessary because of potential public health or environmental concerns; reviewing and approving site closure plans; issuing approval letters for the closure of surface disposal sites; reviewing and approving equivalent pathogen reduction processes; providing technical and compliance assistance to facility personnel, consultants, and State and local officials; and providing biosolids training to States and municipalities. The permits section also works with the compliance and enforcement sections to ensure the timely submittal of annual biosolids reports. The compliance and enforcement sections implement the program by reviewing and assessing annual biosolids reports, conducting compliance evaluation inspections, drafting inspection reports, developing various types of enforcement actions, providing technical and compliance assistance, and providing training on the biosolids program.

Section III. NPDES Compliance Monitoring and Enforcement Response

In a separate initiative, EPA's Office of Enforcement and Compliance Assurance (OECA), EPA Regions, and the Environmental Council of the States have developed a tool for assessing State performance in enforcement and compliance assurance to ensure that States meet agreed-upon minimum performance levels and provide a consistent level of environmental and public health protection nationwide. OECA will use the State profiles to focus these efforts and identify areas needing further discussion and evaluation.

1. Enforcement Program

The State of South Carolina:

The State identifies and addresses all violations using EPA criteria outlined in program delegation documents and the memorandum of agreement. The State maintains a current Enforcement Management System (EMS) that describes how and when the State will take action on violations. The EMS also addresses the level of formal enforcement that should be taken, including consideration of several factors (such as environmental and health impacts) related to violations.

The State handles enforcement through a division of work between the compliance section and the enforcement section. The compliance section refers violators to the enforcement section for formal enforcement action, as necessary. The State's Enforcement Referral Procedures Document (part of the EMS) includes guidelines for the triggers and timelines of enforcement referral. The guidance says that NPDES facilities meeting the definition of significant noncompliance are always referred for formal enforcement action; there are numerous other criteria for referral of other violators. When a violator is referred for enforcement, the enforcement project manager adheres to the written Enforcement Action Time Line and Procedure Document (part of the EMS) for guidance on proper next steps and appropriate time frames for accomplishing each step.

When the State issues a formal enforcement order, DHEC maintains a tracking system to ensure compliance with the order. DHEC uses a FoxPro database tracking system for all NPDES-related data management. The system's databases and field names mirror the PCS system. For example, the State system has a facility database for facility level data, a pipes database, and limits database. In addition to the NPDES program, the State uses its data management system to manage its State-issued land application permits, agricultural permits, and construction permit programs. Development is under way on an Oracle-based tracking system that will connect NPDES data with all environmental programs at DHEC.

Data provided by EPA's OECA indicate that the State took 117 formal enforcement actions in fiscal year (FY) 2002. The State provided information that a total of \$811,286.93 was collected in penalties. The Management Report, based on PCS data as of June 12, 2004, indicates 86 formal enforcement actions were taken against facilities in FY2003 (from October 1, 2002, through September 30, 2003). The State provided information that a total of \$679,440.19 was collected in penalties. The State issued 102 orders with \$1,190,050 in penalties assessed, from October 1, 2003, through July 9, 2004. The State's percentage of instances of significant noncompliance that have returned to compliance without formal enforcement action is 76% for FY2003, compared with a national average of 71%.

The State's Penalty Assessment Guide (also part of the EMS; revised on July 2, 2002) includes a detailed description of civil penalty calculations. Step 2 of the calculation is to calculate the economic benefit derived by the responsible party for noncompliance, if applicable. If an upgrade that should have been constructed at an earlier date will be required by an order, then interest of 8.75% should be assessed. The Penalty Assessment Guide notes that the economic benefit calculation can only be done using reasonable capital and operational cost estimates assuming that any of the following would have allowed the responsible party to achieve compliance with the applicable regulations:

- Installation/proper maintenance/licensing of the required equipment or personnel
- Proper installation/construction
- Appropriate sampling
- Site remediation/protection/registration

This information might not be available prior to the initial enforcement conference and the penalty would need to be adjusted upward at a later date to include this penalty component. Based on these written criteria, EPA Region 4 estimates that 1% or less of the South Carolina cases include an economic benefit calculation.

EPA's trend data indicate that the State of South Carolina's percentage of major facilities in significant noncompliance is below the national average of 21%, and has increased from 9% in FY2002 to 10% as of July 9, 2004. South Carolina is commended for this low rate of significant noncompliance. The EPA Management Report indicates that South Carolina's average of significant noncompliance addressed by formal enforcement action is 18%, compared with the national average of 18%.

EPA Region 4:

In addition to EPA's other enforcement responsibilities under CWA, Region 4's Water Management Division, Water Programs Enforcement Branch (WPEB), is responsible for compliance tracking, inspections, and enforcement of biosolids facilities in all eight Region 4 States.

During FY2003, 1 administrative order, 19 administrative penalty orders, and 19 settlements were issued for biosolids violations throughout the Region. As of midyear 2004, two administrative orders, eight administrative penalty orders, and eight settlements had been issued for biosolids violations throughout the Region.

WPEB addresses all noncompliance problems. Those that cause environmental or human health impacts are addressed in accordance with the EMS, which includes escalation of action and a penalty for noncompliance causing environmental or human health impacts.

WPEB uses the EMS along with EPA Headquarters and Regional guidance to address violations that occur at biosolids facilities. Staff members recommend and prepare actions that are reviewed and approved by management to ensure consistency with EPA Headquarters and Regional guidance and policies.

During FY2003 the Region took 5 formal enforcement actions at major facilities and 14 formal enforcement actions at minor facilities in South Carolina.¹

WPEB has enforcement staff assigned to each enforcement action issued to facilities under direct implementation. The enforcement officer is responsible for ensuring that all provisions of the action are completed in accordance with the requirements and the deadlines set within the action. Because the assigned enforcement officer is generally the person who provided input into the action when it was issued, the enforcement officer is very familiar with the requirements and due dates. All enforcement actions are entered into PCS, which allows for the tracking of all schedule items. Follow-up site visits or meetings are held as needed to observe and discuss completion of requirements. These meetings and visits allow WPEB to learn early on of any foreseen problems in meeting deadlines so that alternatives can be discussed and WPEB management briefed.

WPEB escalates enforcement, including penalties, in accordance with the EMS.

2. Record Keeping and Reporting

The State of South Carolina:

DHEC maintains accurate and up-to-date files and records on permitted sources with all appropriate information documented, including penalty rationales. In addition to these paper files, DHEC uploads the information into PCS twice a week.

EPA Region 4:

WPEB maintains compliance and enforcement files in a central location. A formal records policy is being drafted to ensure consistency in record keeping among each of the NPDES programs. Files are maintained for each facility to which the Region has issued a permit or which is covered by a general permit. Files contain DMR data, correspondence, permits, inspection reports, and enforcement actions.

3. Inspections

The State of South Carolina:

The State conducts inspections in accordance with the Water Grant Commitment Workplan (prepared under CWA section 106), which incorporates the major/minor/stormwater strategy that allows trade-offs between major and minor facilities (stormwater, CAFOs, NPDES minor facilities). However, South Carolina does not use a trade-off between minor and major facilities. The State's strategy actually goes beyond the facility types regulated by the federal rules by including agricultural facilities and State-permitted land application facilities. The State's goals are to conduct inspections at all facilities (major and minor) every year. Inspections are conducted at 15% of facilities with general permit coverage under 10 broad sectors such as cooling water, potable water plants, and mine dewatering. Fifteen percent of the facilities covered by an NPDES general permit for stormwater associated with industrial activity also receive inspections annually. The strategy also includes the goal of conducting inspections at 50% of those sites covered by an NPDES permit for stormwater discharges associated with construction activity. All agricultural facilities with wet manure operations and 25% of those with dry

¹ The National Data Sources column of the Management Report, measures #37 and #38, shows that EPA took 4 formal enforcement actions at major facilities and 15 at minor facilities, because one facility switched status from major to minor after the action was taken, causing its action to appear in the count for minor facilities.

manure operations receive an annual inspection. This is a comprehensive inspection strategy with inspections conducted out of 12 district offices and the central office.

The State inspected 90% of its major facilities in FY2003, which exceeds the national average of 69%. During FY2003, 68% of the inspections conducted by the State were at minor facilities, as compared with a national average of 77% of State inspections in FY2003 being conducted at minor facilities. EPA conducted 29 inspections at minor facilities in FY2003.

The State has participated with EPA in inspection initiatives. These joint inspections include stormwater inspection initiatives in Charleston and Greenville during FY2003. The State will participate in a stormwater MS4 inspection initiative scheduled for FY2004.

EPA Region 4:

In the past WPEB did not commit resources to ensuring that inspections were conducted at oil and gas facilities. These facilities were therefore not inspected routinely or in accordance with any strategy. For offshore activities, including oil and gas facilities, WPEB cannot readily access facilities for inspections and therefore relies on file reviews to determine compliance. Effluent data for each facility are regularly reviewed to determine noncompliance and appropriate Regional action. Because of the number of facilities and limited access, WPEB does not have the resources to conduct inspections at every oil and gas facility every 5 years. During the 2003 inspection year, WPEB personnel conducted an inspection at one oil and gas facility. A performance audit inspection was conducted at a laboratory used by the oil and gas facilities.

Biosolids facility inspections and compliance tracking are focused in environmental justice areas and within impaired watersheds identified by the Water Management Division. During the 2003 inspection year, WPEB conducted 7 biosolids inspections at minor facilities and 19 inspections at major facilities throughout the Region. As of midyear 2004, WPEB had conducted biosolids inspections at 2 minor facilities and 17 major facilities throughout the Region.

4. Compliance Assistance

The State of South Carolina:

Region 4 States have improved environmental performance through the development and implementation of compliance assistance activities. These activities have been used to work with individual entities, groups of regulated entities, and trade associations. The compliance assistance activities include innovative strategies, pollution prevention, and sustainable management practices.

DHEC is committed to helping permittees meet their requirements of NPDES permits and seeks to improve this effort over time. Regarding pollution prevention, DHEC's Center for Waste Minimization has more than 10 years of experience in providing technical assistance to permittees to reduce, reuse, and recycle waste streams. A component of the Center's work is compliance assistance.

EPA Region 4:

Region 4, along with Region 6, is negotiating a memorandum of agreement with the U.S. Department of the Interior's Minerals Management Service (MMS) to incorporate NPDES elements into MMS inspections and provide compliance information back to the Region. MMS is required to visit each oil

and gas facility annually. The memorandum of agreement would greatly benefit the Region and its compliance monitoring efforts because access to offshore facilities is difficult.

Region 4 provides biosolids compliance assistance to both facilities and States through presentations at workshops and conferences.

Section IV. Related Water Programs and Environmental Outcomes

1. Monitoring

The State of South Carolina:

The State submitted a draft monitoring strategy in February 2004, followed on April 13, 2004, by a letter addressing the 10 elements in the work plan for State grant funding under CWA section 106. EPA provided comments to the State on June 17, 2004; the State expects to submit a completed monitoring strategy in February 2005. DHEC has an extensive statewide network of fixed monitoring sites focused on the 11-digit National Resource Conservation Service's watershed unit scale. The data from these fixed sites can be tested for long-term trends in constituent concentrations and can reflect the results of changes in permitting and other water quality management practices. DHEC also employs a statewide probability-based monitoring component with separate designs for river and stream, lake and reservoir, and estuarine water body types to assess statewide designated use attainment for each major resource category. A rotating-basin component to water quality monitoring is used to maximize monitoring results in any given year for targeted watershed areas. Through this activity, monitoring can be targeted for major permits to assist in determining water quality-based effluent limit.

EPA Region 4:

Each Tribe in the Region has a monitoring program. The Region considers monitoring information gathered by the Tribes, if available and applicable, when developing NPDES permits. Basin monitoring plans do not exist in Indian Country and therefore are not considered when developing permitting schedules.

South Carolina manages the monitoring efforts for the Catawba Nation.

2. Environmental Outcomes

The State of South Carolina:

The percentage of assessed waters fully supporting their designated uses according to the 2002 water quality inventory prepared under CWA section 305(b) are as follows: 79% of assessed river and stream miles, 84% of assessed lake acres, and 81% of assessed estuaries. An accurate trend analysis cannot be conducted at this time because of changes in State sampling protocols and reporting methods and because of limited funding for complete, long-term monitoring coverage.

TMDL development is under way in South Carolina. It is expected that South Carolina will meet the TMDL development schedule of 13 years from date of original listing. South Carolina has invested resources into contracts for TMDL development. Currently, South Carolina is 100% on schedule for meeting its TMDL development commitment.

EPA Region 4:

The Region has no direct implementation responsibilities in South Carolina.

3. Water Quality Standards

The State of South Carolina:

The State has integrated the water quality standards and NPDES programs in part by conducting timely reviews of its water quality standards and having no outstanding EPA disapprovals of standards. As the State adopts or revises water quality standards, a thorough examination of how the standards will be implemented through NPDES permits is conducted. As the standards are made available for public comment, the State explains to the interested NPDES permit holders and other interested groups exactly how those water quality standards will be implemented, especially in relation to dischargers. The State conducts a triennial review of water quality standards uses that provides time to adopt newly required EPA criteria. Permit fact sheets and rationales explain the basis for each water quality-based effluent limit and identify the designated uses of the receiving water body and applicable standards.

The State has adopted enterococci criteria and has submitted a draft plan for the adoption of nutrient criteria. At this time EPA does not expect States to adopt E. coli criteria. Additional information is maintained in facility-specific files that are available for public review.

Certain water quality standards are difficult to implement, but such difficulties are identified permit by permit. To address this, the State has adopted a variance procedure that implements EPA's use attainability analysis regulations on a permit-specific basis.

The State has provisions for compliance schedules that are used when needed. The State has adopted numeric nutrient criteria for lakes of 40 acres or more; lakes of less than 40 acres will continue to be protected by the narrative criteria.

EPA Region 4:

Region 4 writes permits to protect designated uses, consistent with federal requirements for offshore dischargers.

4. Total Maximum Daily Loads

The State of South Carolina:

South Carolina incorporates wasteload allocations into NPDES permits as they are expressed in each TMDL. DHEC's watershed approach allows all permits in a watershed to be reviewed at the same time, and ensures that wasteload allocations are appropriately incorporated into permits. The State keeps an updated list of completed and approved TMDLs. This list is used in drafting NPDES permits to ensure that wasteload allocations derived from TMDLs are incorporated into NPDES permits. Permit fact sheets and rationales explain the TMDL and appropriate wasteload allocation in the corresponding permit.

EPA Region 4:

The receiving water for all ocean dischargers has not been classified as impaired and therefore TMDLs have not been developed. The State is on schedule for meeting TMDL development; therefore, it is not necessary for EPA to develop TMDLs for waters in South Carolina.

5. Safe Drinking Water Act

The State of South Carolina:

The State identifies water bodies used as drinking water sources as having a public water supply designated use. Criteria associated with the protection of drinking water supply apply to these water bodies. The State writes all wasteload allocations and water quality-based effluent limits to comply with drinking water criteria and incorporates its Source Water Protection program into its NPDES decisions. South Carolina has designated all fresh water as a source of drinking water after conventional treatment and has more stringent wastewater treatment plant construction standards for facilities located in a source water protection area.

EPA Region 4:

EPA is responsible only for discharges to federal waters off the coast of South Carolina and therefore has no direct implementation responsibilities in South Carolina under the Safe Drinking Water Act.

Section V. Other Program Highlights

The State of South Carolina:

The State implemented its Watershed Water Quality Management Strategy in 1991 to more efficiently protect and improve the quality of South Carolina's surface water resources. Under the watershed management approach, monitoring, assessments, problem identification and prioritization, water quality modeling, planning, permitting, and other DHEC initiatives are coordinated by basin. A watershed water quality assessment report is produced for each basin. During the 1990s, DHEC prepared several general permits to improve efficiency. The State's general permits can be found on DHEC's Web site at <http://www.scdhec.gov/eqc/admin/html/eqgenpmt.html>.

The State does not have a formal "trading" program, but where allocation of loading among users is necessary, it is managed as an aspect of the State's Water Quality Planning Program prepared under section 208 of the CWA. DHEC has outlined an allocation strategy in the appendix to its statewide section 208 Plan (available at <http://www.scdhec.gov/water/pubs/208plan.pdf>).

In drafting NPDES permits, DHEC uses an advanced Excel spreadsheet program to assess the reasonable potential for all the pollutants noted in each application form to cause or contribute to a violation of water quality standards. This spreadsheet analysis uses appropriate background concentrations collected from Storage and Retrieval (STORET) stations, effluent data from the DMRs submitted by facilities, and the results of sampling conducted as part of the NPDES permit application, including the expanded effluent parameters in part 2A. In addition to assessing reasonable potential, the spreadsheet program calculates the effluent limits based on the appropriate provisions of South Carolina's water quality standards (R61-68).

EPA Region 4:

The Region has developed a standardized template representing the standard language required by 40 CFR part 122. This permit tool helps to streamline permit issuance.

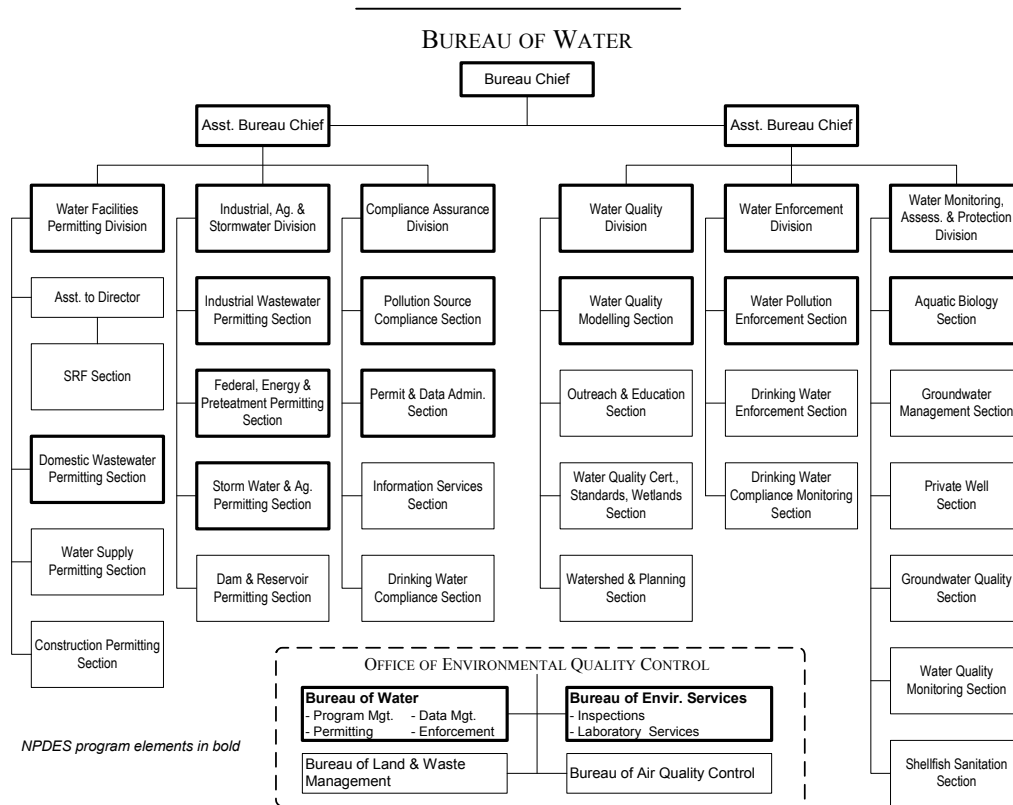
The general permit for oil and gas extraction facilities has allowed Region 4 to streamline the issuance of permit coverage for 290 wells.

I. PROGRAM ADMINISTRATION

A. Resources:

- Provide an overview of the State's NPDES program. Describe recent management changes to the program and attach copy of organization chart.

Depicted below is an organization chart (NPDES elements in bold) which details the structure of the Bureau of Water and how the bureau fits in with all of the environmental programs that DHEC's Office of Environmental Quality Control administers.



This management structure has been in place since the fall of 1996 with Alton Boozer as the Bureau Chief. Only a few changes have been made in the management team within the bureau. Regarding all of the environmental programs, the Deputy Commissioner for Environmental Quality Control (Lewis Shaw) retired in January 2004. Mr. Shaw held the Deputy Commissioner job for over 19 years. He has been replaced by Robert King (formerly his assistant). The NPDES permitting directors for domestic and industrial divisions have been the same for over 10 years as well. Overall, DHEC's NPDES management structure has had a great deal of continuity.

While program leadership is provided by the Bureau of Water, support services such as laboratory and facility inspections are provided

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South Carolina

		Profile Section	GPRA Goal	Nat. Avg.	National Data Sources		Additional Data	
					State Activities	EPA Activities	State Activities	EPA Activities
NPDES Progress								
Universe	1	# major facilities (6,690 total)	I.1	n/a	175	0		
	2	# minor facilities covered by individual permits (42,057 total)	I.1	n/a	379	0		
	3	# minor facilities covered by non-storm water general permits (39,183 total)	I.1	n/a	547	0		
	4	# priority permits (TBD)	I.6		--	--		
	5	# pipes at facilities covered by individual permits (142,761 total)	I.7	n/a	1,808	--		
	6	# industrial facilities covered by individual permits (32,505 total)	I.1	n/a	357	0		
	7	# POTWs covered by individual permits (15,197 total)	I.1	n/a	198	0		
	8	# pretreatment programs (1,482 total)	II.2	n/a	76	--		
	9	# Significant Industrial Users (SIUs) discharging to pretreatment programs (22,158 total)	II.2	n/a	464	--		
	10	# Combined Sewer Overflow (CSO) permittees (831 total)	II.5	n/a	0	--		
	11	# CAFOs (current and est. future) (17,672 total)	II.3	n/a	201	--		
	12	# biosolids facilities (TBD '05)	II.6		--	--		
NPDES Program Administration	13	State or Region assessment of State NPDES program (none (N)/assessment (A)/profile (P))	I.1	50 states 2004	n/a	A, P	P	
	14	% pipes at facilities covered by individual permits w/ lat/long in PCS	I.7	46.3%	93.1%	--		
	15	State CAFO legal authority expected (mo/yr)	II.3	2005	n/a	12/03	n/a	
	16	# Withdrawal petitions/legal challenges (22 total)	I.4	n/a	0	n/a		
	17	DMR data entry rate	I.7	95%	100%	--		
	18	# permit applications pending (1,011 total)	I.6	n/a	0	--		
NPDES Program Implementation	19	% major facilities covered by current permits	I.6	90%	83.7%	99.4%	n/a	
	20	% minor facilities covered by current individual or non-storm water general permits	I.6	90% 12/04	87.0%	99.0%	n/a	
	21	# major facilities w/permits expired >10 yrs. (56 total)	I.6	n/a	0	0		
	22	% priority permits issued as scheduled (TBD '05)	I.6	95% 2005		--	--	
	23	% pretreatment programs inspected/audited during 5 yr. inspection period	II.2		85.3%	84.2%	--	
	24	% SIUs w/control mechanisms	II.2		99.2%	99.8%	--	
	25	% of CSO permittees with long-term control plans developed or required	II.5	75% 2008	82.2%	n/a	--	
	26	% CAFOs covered by NPDES permits	II.3		35%	0%	--	
	27	% biosolids facilities that have satisfied part 503 requirements (TBD '05)	II.6			--	--	
	28	# Phase I storm water permits issued but not current (76 total)	II.4		n/a	2	n/a	
	29	# Phase I storm water permits not yet issued (5 total)	II.4		n/a	0	n/a	
	30	Phase II storm water small MS4 permits current (Y/N/D (draft) (35 States)	II.4	100% states 2008	n/a	Y	n/a	
	31	Phase II storm water construction permit current (Y/N/D (draft) (49 States)	II.4	100% states 2008	n/a	N	n/a	
NPDES Compliance Monitoring and Enforcement Response	32	% major facilities inspected	III.3		71%	90%	1%	
	33	(inspections at minors) / (total inspections at majors and minors)	III.3		76%	68%	97%	
	34	% major facilities in significant non-compliance (SNC)	III.1		20%	10%	--	
	35	% SNCS addressed by formal enforcement action (FEA)	III.1		14%	18%	--	
	36	% SNCS returned to compliance w/o FEA	III.1		70%	76%	--	
	37	# FEAs at major facilities (666 total)	III.1		n/a	36	4	5
	38	# FEAs at minor facilities (1,660 total)	III.1		n/a	50	15	14

Explanation of Column Headers:

Profile Section: For each measure, this column lists the section of the profile where the program area (including any additional data for the measure) is discussed.

National Data Sources: The information in these two columns is drawn from two types of sources:

(1) EPA-managed databases of record for the national water program, such as PCS, the National Assessment Database, and the National TMDL Tracking System. NPDES authorities are responsible for populating PCS with required data elements and for assuring the quality of the data. EPA is working to phase in full use of NAD and NTS as national databases.

(2) Other tracking information maintained by EPA Headquarters for program areas such as CAFOs, CSOs, and storm water.

The [definitions document](#) accompanying this Management Report provides a detailed definition of each data element in the National Data Sources columns.

Additional Data: These columns provide additional data in cases where information from other data sources differs from information in the National Data Sources column for reasons such as different timing of the data "snapshot." Additional data should generally adhere to the same narrative definitions as data in the National Data Sources, and should be derived using similar processes and criteria. Our goal is to work with the States on these discrepancies to ensure consistent and accurate reporting. A State contact is available who can respond to queries. The profiles discuss each additional data element.

State Activities: Information in these columns reflects activities conducted by the State program. (Shaded cells in these columns indicate that the work may not be entirely the State's responsibility, but a breakdown of the data into EPA and State responsibilities is unavailable.)

EPA Activities: Information in these columns reflects activities conducted by the EPA Region within the State.

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South Carolina

		Profile Section	GPRA Goal	Nat. Avg.	National Data Sources		Additional Data		
					State Activities	EPA Activities	State Activities	EPA Activities	
Water Quality Progress									
Universe	39	River/stream miles (3,419,857 total)	IV.2		n/a	32,571	n/a		
	40	Lake acres (27,775,301 total)	IV.2		n/a	385,672	n/a		
	41	Total # TMDLs in docket at end of FY 2003 (52,795 total)	IV.4		n/a	838	--		
	42	# TMDLs committed to in FY 2003 management agreement (2,435 total)	IV.4		n/a	n/a	n/a		
	43	# Watersheds (2,341 total)	IV.2		n/a	--	--		
Water Quality Administration	44	On-time Water Quality Standards (WQS) triennial review completed (42 States)	IV.3		n/a	Y	n/a		
	45	# WQS submissions that have not been fully acted on after 90 days (32 total)	IV.3	<25% submissions	n/a	n/a	0		
Water Quality Implementation	46	State is implementing a comprehensive monitoring strategy (Y/N) (TBD)	IV.1	all states 2005	--	--	--		
	47	% river/stream miles assessed for recreation	IV.2		13.8%	45.2%	n/a		
	48	% river/stream miles assessed for aquatic life	IV.2		22.0%	47.2%	n/a		
	49	% lake acres assessed for recreation	IV.2		49.4%	80.1%	n/a		
	50	% lake acres assessed for aquatic life	IV.2		48.5%	80.1%	n/a		
	51	# outstanding WQS disapprovals (23 total)	IV.3		n/a	0	n/a		
	52	WQS for E. coli or enterococci for coastal recreational waters (12 States)	IV.3	35 states 2008	n/a	N	n/a		
	53	WQS for nutrients or Nutrient Criteria Plan in place (13 States)	IV.3	25 states 2008	n/a	N	n/a		
	54	Cumulative # TMDLs completed through FY 2003 (10,807 total)	IV.4		n/a	66	--		
	55	# TMDLs completed in FY 2003 (2,929 total)	IV.4		n/a	14	0		
Environmental Outcomes	56	# TMDLs completed through FY 2003 that include at least one point source WLA (5,036 total)	IV.4		n/a	35	--		
	57	% Assessed river/stream miles impaired for swimming in 2000	IV.2		--	47.9%	n/a		
	58	% Assessed lake acres impaired for swimming in 2000	IV.2		--	1.0%	n/a		
	59	# Watersheds in which at least 20% of the water segments have been assessed and, of those assessed, 80% or more are meeting WQS (440 total)	IV.2	600 2008	n/a	--	--		

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